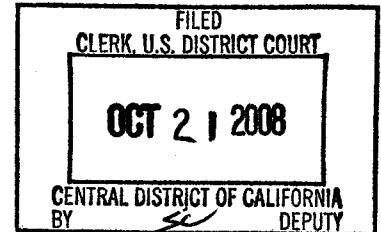


THOMAS P. O'BRIEN  
 United States Attorney  
 CHRISTINE C. EWELL  
 Assistant United States Attorney  
 Chief, Criminal Division  
 CHRISTOPHER BRUNWIN  
 Assistant United States Attorney  
 Deputy Chief, Violent & Organized Crime Section  
 STEVEN R. WELK  
 Assistant United States Attorney  
 Chief, Asset Forfeiture Section  
 FRANK D. KORTUM  
 California State Bar No. 110984  
 Asset Forfeiture Section  
 1400 United States Courthouse  
 312 North Spring Street  
 Los Angeles, California 90012  
 Telephone: (213) 894-5710  
 Facsimile: (213) 894-7177  
 E-mail: frank.kortum@usdoj.gov

Attorney for Plaintiff  
 United States of America



UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

UNITED STATES OF AMERICA,	)	CR 08-1201
	)	
Plaintiff,	)	<del>[PROPOSED]</del> ORDER RESTRAINING
	)	SALE/TRANSFER, <del>AND OR DISPOSITION</del>
v.	)	OF TRADEMARK
	)	
RUBEN CAVAZOS,	)	[18 U.S.C. § 1963(d)]
aka "Doc", et al.,	)	
	)	[UNDER SEAL]
Defendants.	)	

2008 OCT 17 10:21 AM  
 CLERK U.S. DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA  
 LOS ANGELES  
 BY

LOGGED

1 Upon consideration of the (1) Ex Parte Application for Post-  
2 Indictment Restraining Order filed by the United States; (2)  
3 supporting Memorandum of Points and Authorities; and (3)  
4 Declaration of Special Agent John Ciccone, the Court hereby finds  
5 as follows:

6 On January 11, 2005, the United States Patent and Trademark  
7 Office ("PTO") registered the "Mongols" trademark (Registration  
8 No. 2916965). The trademark was issued to Mongol Nation,  
9 purportedly for use in commerce in connection with promoting the  
10 interests of persons interested in the recreation of riding  
11 motorcycles.

12 On October 9, 2008, a federal grand jury in Los Angeles  
13 returned an indictment (under seal) alleging racketeering  
14 activity by members of the Mongol Nation.

15 Count eighty-five of the indictment identifies the Mongols  
16 trademark as an asset which the government seeks to forfeit in  
17 these criminal proceedings. The indictment alleges that the  
18 defendants control the Mongols Motorcycle club, also known as  
19 Mongol Nation, which in turn owns the trademark, and that in the  
20 event of the defendants' convictions, the trademark would be  
21 subject to forfeiture to the United States under 18 U.S.C.  
22 § 1963(a)(1), (2) and (3).

23 The sale, transfer, conveyance, or other disposal of the  
24 trademark by any of the defendants in this criminal action could  
25 render the trademark unavailable for forfeiture. ~~In addition,~~  
26 ~~there is overwhelming evidence that the defendants use and~~  
27 ~~display the trademark to promote their criminal enterprise and~~  
28 ~~activities.~~

1        Accordingly, IT IS HEREBY ORDERED that the defendants in  
2        this criminal action, and any of their agents, servants,  
3        employees, family members, and those persons in active concert or  
4        participation with them, are enjoined and restrained from taking  
5        any action or attempted action that would affect the  
6        availability, marketability or value of the Mongols trademark,  
7        including but not limited to selling, conveying, transferring,  
8        licensing, distributing, bailing, assigning, mortgaging,  
9        pledging, collateralizing, hypothecating, wasting, secreting,  
10        damaging, diminishing the value of, conveying, encumbering, or  
11        otherwise disposing of the Mongols trademark.

12        ~~IT IS FURTHER HEREBY ORDERED that the defendants in this~~  
13        ~~criminal action, and any of their agents, servants, employees,~~  
14        ~~family members, and those persons in active concert or~~  
15        ~~participation with them, are enjoined and restrained from~~  
16        ~~wearing, using or displaying the Mongols trademark (however~~  
17        ~~spelled, used or displayed, whether capitalized, abbreviated,~~  
18        ~~singular or plural, printed, stylized or incorporated in a symbol~~  
19        ~~or article of clothing, whether used alone or in combination with~~  
20        ~~any wording or symbol, and whether displayed personally, or for~~  
21        ~~the purpose of advertising or publicizing the activities of the~~  
22        ~~Mongol Nation, the Mongols, or any members thereof).~~

23        IT IS FURTHER HEREBY ORDERED that the defendants in this  
24        criminal action, and any of their agents, servants, employees,  
25        family members, and those persons in active concert or  
26        participation with them, shall surrender for seizure all  
27        products, clothing, vehicles, motorcycles, books, posters,  
28        merchandise, stationery, or other materials bearing the Mongols

1 trademark, ~~or trade dress~~.

2 For the purposes of this Order, "defendants" means and  
 3 includes: RUBEN CAVAZOS, also known as ("aka") "Doc" ("CAVAZOS"),  
 4 RUBEN CAVAZOS, JR., aka "Little Rubes" ("R. CAVAZOS, JR.") HECTOR  
 5 GONZALEZ, JR., aka "Largo" ("GONZALEZ"), ARTHUR ROSELI, JR., aka  
 6 "Chiques" ("ROSELI"), JUAN MANUEL NIEVES, aka "Listo" ("NIEVES"),  
 7 ANTHONY MARK TINOCO, aka "Bengal" ("TINOCO"), WILLIAM MICHAEL  
 8 MUNZ ("MUNZ"), LAWRENCE WILSON, aka "Lars" ("WILSON"), WALTER  
 9 RAMIREZ, aka "Bumper" ("RAMIREZ"), ANDRES RODRIGUEZ, aka "Rascal"  
 10 ("RODRIGUEZ"), ENRIQUE LOUIS MUNOZ, aka "Hank" ("MUNOZ"), JOSE  
 11 GARCIA, aka "Big Joe" ("GARCIA"), SHAWN BUSS, aka "Monster"  
 12 ("BUSS"), PETER SOTO, aka "Bouncer" ("SOTO"), VICENT RIOS, aka  
 13 "Chente" ("RIOS"), AL CAVAZOS, JR., aka "Al the Suit" ("A.  
 14 CAVAZOS, JR."), MANUEL ARMENDAREZ, aka "Mandog" ("ARMENDAREZ"),  
 15 ROGER MARTINEZ, aka "Stamper," ("R. MARTINEZ"), RAFAEL LOZANO,  
 16 aka "Peligroso" ("R. LOZANO"), ALEX LOZANO, aka "Reaper" ("A.  
 17 LOZANO"), MARK GARCIA, aka "Wolf" ("M. GARCIA"), HORACIO PONCE,  
 18 aka "Scorpio" ("PONCE"), FELIX FIGUEROA, aka "Risky"  
 19 ("FIGUEROA"), DAVID EDWARD GIL, aka "L.A. Bull" ("GIL"), RICARDO  
 20 GUTIERREZ, aka "Ricko" ("GUTIERREZ"), JORGE VIRAMONTES, aka  
 21 "Solo" ("VIRAMONTES"), JOHN CARNELAS, aka "JC" ("CARNELAS"),  
 22 ALESSANDRO LOPEZ, aka "Grumpy" ("LOPEZ"), JUAN ALFRED GONZALEZ,  
 23 aka "Negro" ("J. GONZALEZ"), ANTHONY ZUNIGA, aka "Wicked"  
 24 ("ZUNIGA"), BENJAMIN LEYVA, aka "Secret" ("LEYVA"), WILLIAM  
 25 OWENS, aka "Target" ("OWENS"), JON JAY MOREIN, "White Boy Jon"  
 26 ("MOREIN"), LUIS PADILLA, aka "Kiko" ("L. PADILLA"), RAYMOND  
 27 ANTHONY TRUJILLO, aka "Nasty" ("TRUJILLO"), DANIEL MEDEL, aka  
 28 "Big Dog" ("MEDEL"), FNU LNU, aka "Bullet" ("BULLET"), DENIS

1 MALDONADO, aka "Steaky" ("MALDONADO"), NORBERTO JOSE MONTES, aka  
 2 "Villain" ("MONTES"), ABRAM WEDIG, aka "Cane" ("WEDIG"), JOSEPH  
 3 BRADEN, aka "Socks" ("BRADEN"), RAMON CHAVEZ ("CHAVEZ"), MANUEL  
 4 MELGOZA ("MELGOZA"), DAVID TELLEZ ("TELLEZ"), MARIO ANGULO, aka  
 5 "Kermit" ("ANGULO"), RAMON CONTRERAS, aka "Speedy" ("CONTRERAS"),  
 6 RICHARD ESPINOZA, aka "Radone" ("ESPINOZA"), ISMAEL RIVERA, aka  
 7 "Yo-Yo" ("RIVERA"), HAROLD REYNOLDS, aka "Face" ("REYNOLDS"),  
 8 ISMAEL PADILLA, aka "Mouth" ("I. PADILLA"), JASON HILL, aka "Big  
 9 J" ("HILL"), SAM TREVINO, aka "Wapo" ("TREVINO"), BRANDON  
 10 CHEVILLE, aka "Suicide" ("CHEVILLE"), RUDOLPH VALLE, aka "Swiftly"  
 11 ("VALLE"), PAUL LEMAY, aka "Spider" ("LEMAY"), WILLIAM SHAWLEY,  
 12 aka "Dago Bull" ("SHAWLEY"), AARON PRICE, aka "Sick Boy"  
 13 ("PRICE"), PAUL CORDOVA, aka "Chopper" ("CORDOVA"), DAVID NAVA  
 14 ("NAVA"), RENATO GOMEZ ("R. GOMEZ"), BRIAN MCCAULEY ("MCCAULEY"),  
 15 WILLIAM LOUIE, aka "Chief" ("LOUIE"), JORGE COTTINI, aka "House"  
 16 ("COTTINI"), SAMUEL GONZALEZ, aka "Serial Sam" ("S. GONZALEZ"),  
 17 JAIME FLORES ("FLORES"), ALFONSO SOLIS ("SOLIS"), WILLIAM  
 18 RAMIREZ, aka "Moreno" (WILLIAM RAMIREZ"), AUSTIN MELCER, aka  
 19 "Danger" ("MELCER"), CHRISTOPHER LOZA, aka "Punk Rock" ("LOZA"),  
 20 JOHN NEWMAN, aka "Weto" ("NEWMAN"), EDWARD MORENO, aka "Violent  
 21 Ed" ("MORENO"), THOMAS SAVALA, aka "Danger" ("SAVALA"), and DAVID  
 22 PADILLA, aka "Lazy Dave" ("D. PADILLA").


23       The application of the United States for this post-  
 24 indictment restraining order, the supporting points and  
 25 authorities and Ciccone Declaration, the proposed Order, and any  
 26 Orders issued by the Court in connection with any of these  
 27 pleadings, are to be filed and kept under seal until 10:00 a.m.  
 28 on October 21, 2008, except as needed by law enforcement agents

1 to implement the restraints ordered. Said documents shall be  
2 unsealed as of 10:00 a.m. on October 21, 2008, ~~unless and until~~  
3 ~~otherwise ordered by this Court~~. To facilitate the purpose and  
4 effect of this interim sealing request, the the Court hereby  
5 directs the United States Attorney's Office to retain custody of  
6 the sealed documents during this brief interim period, and to  
7 file said documents at or shortly after 10:00 a.m. on October 21,  
8 2008.

9 DATED: *Oct. 21, 2008*

10  
11   
UNITED STATES DISTRICT JUDGE

12 Presented by:

13  
14   
15 FRANK D. KORTUM  
Assistant United States Attorney